

REMARKS

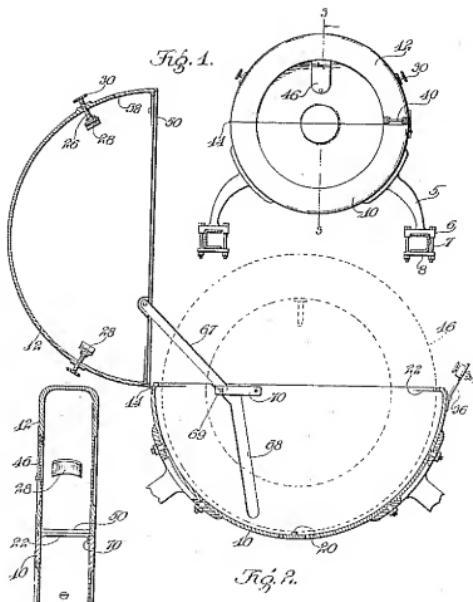
By this amendment, claim 8 has been re-drafted in “consisting of” form; claims 11 and 16 recite fasteners, and new, independent claim 22 has been added.

A new drawing sheet containing Figures 4A to 4E is attached hereto. The specification has been amended herein to support these new figures. No new matter has been added.

The “consisting of” claims clearly distinguish over the Calkins and Dahl references, as the display of Calkins requires at least a stand or bracket 14, and Dahl at least requires multiple additional components, including upper and lower semi-circular sections 10, 12.

With regard to Applicant’s recitation of “rigid or semi-rigid” the affidavit of one skill in the art of plastic fabrication is being submitted herewith. Mr. Baker states that “article formed of structural plastic are at least semi-rigid, sometimes rigid...” Accordingly, Applicant believes use of the term “structural” provides support for “rigid or semi-rigid.”

With regard the “a fastener for securing the cover to the guard rail,” the Examiner states that “Dahl further provides fasteners 26/28 capable of securing the cover to the guard rail” (OA, toward the top of page 6). The figures of Dahl have been reproduced below. According to Dahl, item 26 is a “pressure screw,” and item 28 is a “shoe.” Applicant cannot determine how these could possibly be used to secure the cover of Dahl to a guard rail. Applicant respectfully requests that the Examiner explain how this is possible.



Based upon the foregoing amendments and comments, Applicant believes the subject application is in condition for allowance. Questions regarding this application may be directed to the undersigned attorney at the telephone or facsimile numbers provided below.

Respectfully submitted,

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